

## **REMARKS/ARGUMENTS**

Reconsideration of the application is requested.

Claims 7, 11, and 12 are now in the application. Claim 11 has been amended.

Claims 5, 6, 8-10, and 13-17 have been canceled.

The claims are now primarily limited to the "ion-releasing" feature. That is, the surface(s) of the shopping cart are formed, during the production of the assembly, of a material that releases ions so as to "kill any bacteria." See, for example, page 3, lines 32-33, of the translated specification.

We have noted the rejection of claims 7 and 17 under 35 U.S.C. § 112, first paragraph and the Examiner's admonition that "no meaningful rejection could be formed due to the totally unclear scope of the claim." We respectfully submit that, while the specification may not be very lengthy and extremely detailed, it does indeed contain enough information with regard to "ion-releasing" feature.

First, the specification distinguishes between two processes of producing the surface with the claimed characteristics (hydrophobic, superhydrophobic, and/or ion-releasing), namely:

- a) forming the ion releasing surface during the production process in which the shopping cart is produced; and
- b) forming the ion-releasing surface by coating with an additional coating after the conventional production.

These two alternatives are found on page 4, lines 30-38, of the translated PCT specification. It is thus clear that the shopping cart that is produced according to the novel production process, where the ion-release is effected by using a material that comprises ion-releasing parts, does not require any additional coating.

Second, the functional characteristics of the material are clearly described. The specification explains that the primary object of the ion-releasing surface is its anti-bacterial (i.e., "kill any bacteria," page 3) property. Those of skill in the art will be able to select a suitable material for producing the shopping cart that will result in the surfaces with the required property.

We respectfully submit that the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Applicants respectfully request meaningful examination of the claimed invention. Should the Examiner find any further objectionable items, counsel would appreciate receiving a telephone call during which the matter may be resolved.

We now turn to the art rejection, in which claims 5, 9, 11, 13, and 15 have been rejected as being anticipated by Sinclair et al. (US 5,444,113) under 35 U.S.C. § 102 and claims 6, 8, 10, 12, 14, and 16 have been rejected as being obvious over Sinclair et al. in view of Barthlott under 35 U.S.C. § 103. We respectfully traverse.

We agree with much of the Examiner's summary of the prior art reference. Sinclair et al. describes a polymer that may be molded into a structure with a structural surface. Sinclair et al. mention extruded shopping cart structures which, by definition, would have a surface. The reference does not, however, mention ion-releasing surfaces or other surfaces that have the anti-bacterial properties.

The secondary reference Barthlott also has no disclosure towards the ion-releasing surfaces. No obvious modification of Sinclair et al. leads to the claimed invention.

In summary, none of the references, whether taken alone or in any combination, either show or suggest the features of claim 7. Claim 7 is, therefore, patentable over the art. Similarly, claim 11 is patentable over the prior art as well. The allowance of claims 7, 11, 12 is solicited.

Petition for extension is herewith made. The extension fee in the amount of \$555.00 is submitted herewith. Please charge any other fees which might be due to the Deposit Account of Lerner Greenberg Stermer LLP, No. 12-1099.

/Werner H. Stermer/

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